

2/18/08

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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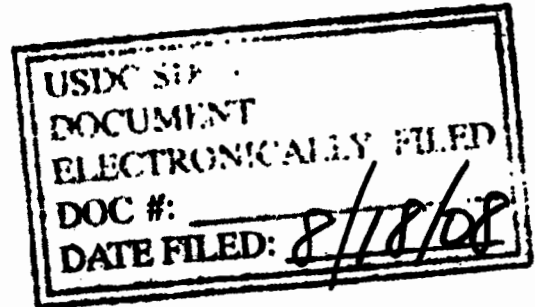
UNITED STATES OF AMERICA : FINAL ORDER OF FORFEITURE

-v.- : S2 07 Cr. 511 (GEL)

SALVATORE MOLINA, :

Defendant. :

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WHEREAS, on or about September 4, 2007, SALVATORE MOLINA, the defendant, was charged in a one-count Superseding Information, S2 07 Cr. 511 (GEL) (the "Information"), with conspiracy to commit money laundering, in violation of Title 18, United States Code, Section 1956(h) (Count One);

WHEREAS, the Indictment included a forfeiture allegation pursuant to 18 U.S.C. §§ 982 and 28 U.S.C. § 2461, seeking the forfeiture of all property, real and personal, involved in the money laundering offense and all property traceable to such property, including:

- a. A sum of money equal to \$300,000 in United States currency, representing the amount of proceeds laundered as a result of the said offenses, including but not limited to the following:
 - i. \$149,846.00 in United States currency, seized on or about September 15, 2006, from the defendant, Salvatore Molina, in the vicinity of 22 West 30th Street, New York, New York;
 - ii. The following firearms which were seized from the defendant, Salvatore Molina, at the time of his arrest:

No.	Manufacturer	Caliber	Serial Number
1	Beretta	9mm	BER395715
2	Beretta	9mm	ST00305
3	Beretta	9mm	ST00365
4	Beretta	9mm	BER393652
5	Beretta	.32	DAA364430
6	Bersa	.380	571308
7	Bersa	.380	567894
8	Bersa	9mm	646236
9	Bersa	.380	576839
10	Colt	10mm	DS14221
11	Colt	.38s	FR24832E
12	Colt	.38s	ELCEN1967
13	Colt	.38s	38SCG0238
14	Glock	10mm	KPN883
15	Kimber	10mm	KF09943
16	AK-47	7.62	DU4552
17	AK-47	7.62	S18597803
18	AK-47	7.62	1986SBR2325
19	Colt M-4	.223	405068
20	Colt M-4	.223	404904

(i through ii collectively, the "Subject Property");

WHEREAS, on or about September 4, 2007, the defendant pled guilty to the Information pursuant to a plea agreement (the "Plea Agreement");

WHEREAS, in the Plea Agreement, the defendant admitted the forfeiture allegation of the Information and agreed to forfeit the Subject Property and to the entry of a forfeiture money judgment in the amount of \$300,000, representing the amount of proceeds obtained as a result of the charged offenses of the Information (the "Money Judgment");

WHEREAS, on or about December 7, 2007, the defendant Salvatore Molina was sentenced and ordered to forfeiture of the Subject Property and the Money Judgment;

WHEREAS, on or about January 4, 2008, the Court ordered an Order of Forfeiture/Preliminary Order of Forfeiture as to the Subject Property. A copy of the Order of Forfeiture/Preliminary Order of Forfeiture is attached hereto as exhibit A and is fully incorporated by reference herein;

WHEREAS, the provisions of 21 U.S.C. § 853 (n)(1), require publication of notice of forfeiture and of the Government's intent to dispose of the forfeited property before the United States can have clear title to the forfeited property;

WHEREAS, notice of the forfeiture action was duly published in the New York Law Journal, once in each of three successive weeks beginning on February 27, 2008. Proof of such publications were filed with the clerk of the Court on April 10, 2008. A copy of the proof of publication is attached hereto as Exhibit B;

WHEREAS, pursuant to 21 U.S.C. § 853(n)(7), the United States shall have clear title to any forfeited property if no petitions for a hearing to contest the forfeiture have been filed within 30 days of final publication of notice of the forfeiture as set forth in 21 U.S.C. § 853(n)(2);

WHEREAS, 30 days have expired since final publication of notice and no petitions to contest the forfeiture have been filed;

NOW, THEREFORE, on the application of Michael J. Garcia, United States Attorney for the Southern District of New York, by Rua M. Kelly, Assistant United States Attorney,

IT IS ORDERED, ADJUDGED AND DECREED THAT:


1. Pursuant to 21 U.S.C. § 853 (n)(7) the United States of America shall and is hereby deemed to have clear title to the Subject Property.

2. The United States Marshals Service shall take possession of the Subject Property and dispose of the same according to law, in accordance with 21 U.S.C. § 853 (h).

3. The clerk is hereby directed to send copies of this Order to all counsel of record.

Dated: New York, New York
August 18, 2008

SO ORDERED:


HONORABLE GERAUD E. LYNCH
UNITED STATES DISTRICT JUDGE